

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

CHRISTIAN TOBIN, MATTHEW  
TRENT, JEFF DAVENPORT, ANDY  
KRAJEWSKI, COREY NELSON and  
FORREST CAMPBELL,

Plaintiffs,

v.

Case No.: 2:18-cv-616-FtM-38MRM

GREATER NAPLES FIRE RESCUE  
DISTRICT,

Defendant.

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**OPINION AND ORDER**<sup>1</sup>

Before the Court is United States Magistrate Judge Mac R. McCoy's Report and Recommendation. ([Doc. 47](#)). Judge McCoy recommends granting the parties' Joint Motion to Approve Settlement Agreement and Dismiss with Prejudice Plaintiffs' Complaint. ([Doc. 46](#)). Neither party objects to the Report and Recommendation and the time to do so has expired.

A district judge "may accept, reject, or modify in whole or in part, the findings or recommendations made by the magistrate judge." [28 U.S.C. § 636\(b\)\(1\)](#). The district judge "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.* And "[t]he judge

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<sup>1</sup> Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

may also receive further evidence or recommit the matter to the magistrate judge with instructions.” *Id.*

After examining the file independently and upon considering Judge McCoy’s findings and recommendations, the Court accepts and adopts the Report and Recommendation.

Accordingly, it is now

**ORDERED:**

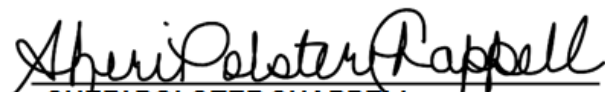
(1) The Report and Recommendation ([Doc. 47](#)) is **ACCEPTED** and **ADOPTED** and the findings incorporated therein.

a. The parties’ Joint Motion to Approve Settlement Agreement and Dismiss with Prejudice Plaintiffs’ Complaint ([Doc. 46](#)) is **GRANTED**.

b. The above-captioned case is **DISMISSED with prejudice**.

(2) The Clerk is **DIRECTED** to enter judgment, deny any pending motions as moot, and close the file.

**DONE** and **ORDERED** in Fort Myers, Florida this 8th day of July 2020.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record